

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO

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In re:
THE FINANCIAL OVERSIGHT AND
MANAGEMENT BOARD FOR PUERTO RICO,

as representative of
THE COMMONWEALTH OF PUERTO RICO
et al.,

PROMESA
Title III

No. 17 BK 3283-LTS
(Jointly Administered)

Debtors.¹

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UNIVERSITY OF PUERTO RICO
RETIREMENT SYSTEM, THROUGH THE
UNIVERSITY OF PUERTO RICO
RETIREMENT BOARD,

Plaintiff,

Adv. Proc. No. 23-00038-LTS

-v-

UNIVERSITY OF PUERTO RICO
THROUGH THE UNIVERSITY OF PUERTO
RICO GOVERNING BOARD; CPA
RICARDO DALMAU-SANTANA,
PRESIDENT OF THE UNIVERSITY OF
PUERTO RICO GOVERNING BOARD; XYZ
ENTITY,

Defendants.

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ORDER CONCERNING ASSIGNMENT OF ADVERSARY PROCEEDING

On May 31, 2023, the Court entered the *Order to Show Cause Concerning Assignment of Adversary Proceeding* (Docket Entry No. 5 in Adv. Proc. No. 23-00038) (the

¹ The Debtors in these Title III Cases, along with each Debtor's respective Title III case number and the last four (4) digits of each Debtor's federal tax identification number, as applicable, are the (i) Commonwealth of Puerto Rico (the "Commonwealth") (Bankruptcy Case No. 17-BK-3283-LTS) (Last Four Digits of Federal Tax ID: 3481); (ii) Puerto Rico Sales Tax Financing Corporation ("COFINA") (Bankruptcy Case No. 17-BK-3284-LTS) (Last Four Digits of Federal Tax ID: 8474); (iii) Puerto Rico Highways and Transportation Authority ("HTA") (Bankruptcy Case No. 17-BK-3567-LTS) (Last Four Digits of Federal Tax ID: 3808); (iv) Employees Retirement System of the Government of the Commonwealth of Puerto Rico ("ERS") (Bankruptcy Case No. 17-BK-3566-LTS) (Last Four Digits of Federal Tax ID: 9686); (v) Puerto Rico Electric Power Authority ("PREPA") (Bankruptcy Case No. 17-BK-4780-LTS) (Last Four Digits of Federal Tax ID: 3747); and (vi) Puerto Rico Public Buildings Authority ("PBA") (Bankruptcy Case No. 19-BK-5523-LTS) (Last Four Digits of Federal Tax ID: 3801) (Title III case numbers are listed as Bankruptcy Case numbers due to software limitations).

“Order to Show Cause”), directing Defendants² to show cause as to why the Court should not reject the Action as an adversary proceeding and refer the Action to the Clerk of Court for processing and judicial assignment in accordance with the ordinary procedures of the District Court because the Court’s review of the Complaint and the Notice of Removal did not reveal a clear basis for concluding that the Action falls within the scope of Title III of PROMESA.

In their response to the Order to Show Cause (Docket Entry No. 7 in Adv. Proc. No. 23-00038), Defendants state that they “have no objection to this removal being referred to the Clerk of Court for processing and judicial assignment in accordance with the ordinary procedures of the District Court.”

Accordingly, for substantially the reasons set forth in the Order to Show Cause, the Court hereby refers the above-captioned litigation to the Clerk of Court for processing and judicial assignment in accordance with the ordinary procedures of the District Court.

SO ORDERED.

Dated: June 15, 2023

/s/ Laura Taylor Swain
LAURA TAYLOR SWAIN
United States District Judge

² Capitalized terms used but not defined herein have the meaning given to them in the Order to Show Cause.